

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)

Attorney Docket: 028983.48221D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 C.F.R. 1.53(b) of pending prior application:

Serial No. 10/162,680
Filed on June 6, 2002
Of Martin KASPAR et al.
Entitled: BRAZED CONDENSER FOR AN AIR CONDITIONER
Examiner: L. Ciric
Group: 3743

- ☒ 1. Accompanying this order is a true copy of the prior application as originally filed.

Total pages

- ☒ 2. New Formal drawings are being filed herewith consisting of 3 sheet(s), depicting Figures 1-5.

- ☒ 3. Declaration and Power of Attorney:

- a. Newly executed (original or copy)
- b. ☒ Copy from prior application
- i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

- ☒ 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

5. Cancel original claims

The PTO did not receive the following listed item(s). one page of new drawing (front)

08306 U.S. PTO
10/621614
07/19/03

07/18/03
18334 U.S. PTO

6. Small entity status:
- ☐ A small entity statement is enclosed
 - ☐ A statement of small entity status (copy attached) was filed on in the prior application and status as a small entity is still proper and desired.
 - ☐ Is no longer claimed
- ☒ 7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee				<u>\$375</u>	<u>\$750</u>
Total Claims	<u>13</u>	-	<u>20</u> = <u> </u> x	9 = \$ <u> </u>	18 = \$ <u>0</u>
Ind. Claims	<u>2</u>	-	<u>3</u> = <u> </u> x	42 = \$ <u> </u>	84 = \$ <u>0</u>
	<u> </u> Multiple Dependent Claims			+ 140 = \$ <u> </u>	280 = \$ <u> </u>
	Total			\$ <u> </u>	\$ <u>750</u>

- ☐ 8. Please charge my Deposit Account No. 05-1323 (Docket #) in the amount of \$.
- ☒ 9. A check in the amount of \$ 750.00 to cover the filing fee is enclosed.
- ☒ 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #028983.48221D1).
- ☒ 11. Amend the specification by inserting before the first line the sentence: --This application is a divisional of application Serial No. 10/162,680, filed June 6, 2002, which is a continuation of application Serial No. 09/425,613, filed October 22, 1999, now U.S. Patent 6,446,714--.
- ☒ 12. Priority of Appln. No. 198 48 744.4, filed in Germany on October 22, 1998, is hereby claimed under 35 U.S.C. 119.
- ☒ 13. A certified copy of said priority document was filed in application Serial No. 09/425,613 on October 22, 1999.
- ☒ 14. The prior application is assigned of record to Behr GmbH & Co.

- X 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169; and Richard R. Diefendorf, Reg. No. 32,390.

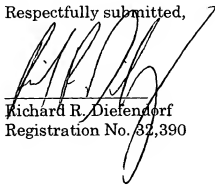
- X a. The power appears in the original application papers in the prior application.
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300



- X 16. Forms PTO-892 and PTO-1449 from the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- X 17. A Preliminary Amendment is being filed herewith.
- X 18. Return Receipt Postcard.
- 19. Other: —

Respectfully submitted,


Richard R. Diefendorf
Registration No. 32,390

07/18/03

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